

Article - Natural Resources

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§5–207.

(a) (1) The Department may purchase and manage lands in the name of the State, suitable for forest culture, reserves, watershed protection, State parks, scenic preserves, historic monuments, parkways, and State recreational reserves, using for these purposes any special appropriation or surplus money not otherwise appropriated, which is standing to the credit of the Forest Reserve or Park Reserve Fund. However, an individual tract of land or easement in excess of 100 acres may not be purchased in Garrett County, except with the approval of the County Commissioners of that county. The Department may accept any gift of land in the name of the State to be held, protected, and administered by the Department as State parks, forests, or other reserves, and used to demonstrate the practical utility of the land for recreational areas, State parks, scenic preserves, parkways, historic monuments, timber culture, water conservation, and as a breeding place for wildlife. Any gift shall be absolute except for the reservation of mineral and mining rights over and under the land, and a stipulation that it shall be administered for State forest, park, or recreation purposes.

(2) The Department shall meet its needs for land in Garrett County by acquiring the land only from willing sellers, provided that the Department may acquire by condemnation easements of the minimal extent necessary for access or utility service to lands of the Department if there is no alternative location or means of providing the access or service.

(3) The Department may apply for a certificate of reservation for public use of abandoned land under Title 13 of the Real Property Article.

(b) The Department may accept gifts, donations, or contributions of land from the federal government or any of its agencies, enter into agreements with the federal government or any of its agencies, and acquire by lease, purchase, or otherwise, lands the Department deems suitable for State forests or parks. The Department may make expenditures from any funds not otherwise obligated for the management, development, and utilization of the lands. It may sell or dispose of products from the lands, and make rules and regulations necessary to carry out the provisions of this subsection. Any revenue received from the lands shall be paid into the State Treasury to the credit of the Forest or Park Reserve Fund in accordance with the provisions of § 5-212 of this subtitle. However, at least 50 percent of the gross revenues derived from the lands may be devoted to the payment of any obligations for the purchase incurred under the provisions of this subsection, until the obligations are fully paid.

(c) Notwithstanding any other provision of law, a lease into which the Department enters after July 1, 1979 for any land acquired under this title is not subject to redemption of the tenant, unless the lease expressly provides otherwise.

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